

01-18-05

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

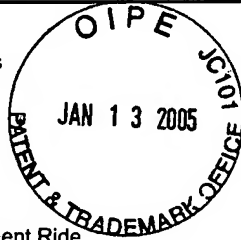
PSSSSQ-C

First named inventor: Stanley J. Checketts

Application No.: 10/679,780

Filed: 10/06/2003

Title: Variably curved Track-mounted Amusement Ride



Art Unit: 3617

Examiner:

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX (703) 872-9306

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee
☒ Small entity-fee \$ 750.00 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☐ Other than small entity - fee \$ _____ (37 CFR 1.17(m))
2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of Executed Oath, Additional Fee, and Completion Documents (identify type of reply):

☐ has been filed previously on 01/21/2005 AWONDAF1 00000021 10679780
☒ is enclosed herewith. 01 FC:2453 750.00 0P

B. The issue fee and publication fee (if applicable) of \$ _____.

☐ has been paid previously on _____

☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

<u>Thompson E. Fehr</u> Signature	<u>January 13, 2005</u> Date
<u>Thompson E. Fehr</u> Typed or printed name	<u>31,353</u> Registration Number, if applicable
<u>5025 Adams Avenue, Suite 300</u> Address	<u>(801) 393-6292</u> Telephone Number
<u>Ogden, Utah 84403</u> Address	

- Enclosures: ☒ Fee Payment
- ☒ Reply
- ☐ Terminal Disclaimer Form
- ☐ Additional sheets containing statements establishing unintentional delay
- ☐ Other: _____

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

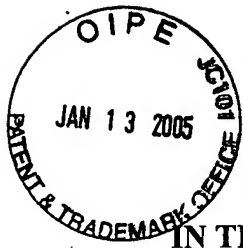
I hereby certify that this correspondence is being:

- ☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.
- ☐ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (703) 872-9306.

Date

Signature

Typed or printed name of person signing certificate



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Stanley J. Checketts; Ned R. Hansen, Ph.D.; Quin R. Checketts;
Lawrence E. Allen; Dody Bachtar; Benjamin Clegg;
and Michael Kent Winger
Serial No.: 10/679,780
Filed: 10/06/2003
For: Variably Curved Track-mounted Amusement Ride
Confirmation No.: 5255
Group Art Unit: 3617
Examiner:
Customer No.: 31198
Attorney Docket No.: PSSSSQ-C

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

EXPRESS MAIL CERTIFICATE

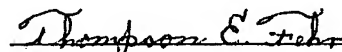
Express Mail Label No. ER821440526US

Date of Deposit: January 13, 2005

I hereby certify that the following attached

Copy of Notice to File Missing Parts of Nonprovisional Application

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Thompson E. Fehr



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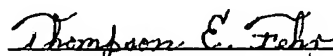
Express Mail Label No. ER821440526US

Date of Deposit: January 13, 2005

I hereby certify that the following attached

Petition for Revival of an Application for Patent Abandoned
Unintentionally under 37 CFR 1.137(b)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee"
service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Petition,
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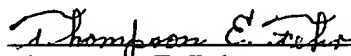
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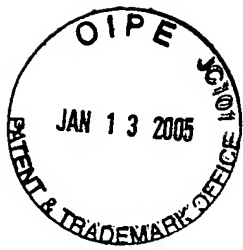
Date of Deposit: January 13, 2005

I hereby certify that the following attached

Completion of Filing Requirements

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


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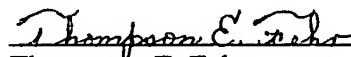
Express Mail Label No. ER821440526US

Date of Deposit: January 13, 2005

I hereby certify that the following attached

Current Reply - Transmittal of Payment for Petition and for Filing Executed Oath and
Related Completion Documents

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee"
service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Petition,
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Thompson E. Fehr

Express Mail Label No. ER821440526US



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Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
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**CURRENT REPLY - TRANSMITTAL OF PAYMENT FOR PETITION AND FOR
FILING EXECUTED DECLARATION AND RELATED COMPLETION DOCUMENTS**

1. For a fee covering the enclosed Petition for Revival of an
Application for Patent Abandoned Unintentionally under
37 CFR 1.137(b), the amount owed is
\$ 750.00

2. A surcharge for late filing of the oath or declaration is owed
in the amount of
\$ 65.00

3. The fee for an extension of time of four months for filing the Executed
Oath and Related Completion Documents is
\$ 795.00

01/21/2005 AWONDAF1 00000021 10679780

03 FC:2254

795.00 OP

3. Therefore, the total for fees due is
Total \$1,610.00

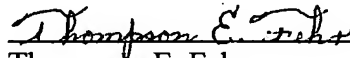
**CURRENT REPLY - TRANSMITTAL OF PAYMENT FOR PETITION
AND FOR FILING EXECUTED DECLARATION AND RELATED
COMPLETION DOCUMENTS**

4. Consequently, attached hereto is a check in the amount of \$1,610.00.

5. With payment of the fee for an extension of time of four months, the due date for filing an executed oath or declaration was June 30, 2004.

6. Applicant has received a Notice of Abandonment mailed on 11/15/2004 and determined that abandonment occurred on June 30, 2004, as a matter of law.

DATED this 13th day of January, 2005.


Thompson E. Fehr
Attorney

Registration No. 31,353

Telephone No. (801) 393-6292

Suite 300
Goldenwest Corporate Center
5025 Adams Avenue
Ogden, Utah 84403



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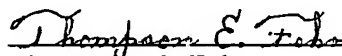
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Date of Deposit: January 13, 2005

I hereby certify that the following attached

Combined Declaration and Power of Attorney

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Thompson E. Fehr